

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
( Case No. 05-959-B5 (EX03-077C-US) )

In the Application of:

Plowman et al.

U.S. Application No.: 10/532,405

International Application No.: PCT/US03/33483

International Filing Date: October 22, 2003

For: CDKL as Modifier of Branching  
Morphogenesis and Methods of Use

Examiner: TBD

Group Art Unit: TBD

Confirm. No. 5781

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35.U.S.C. 371 IN  
THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

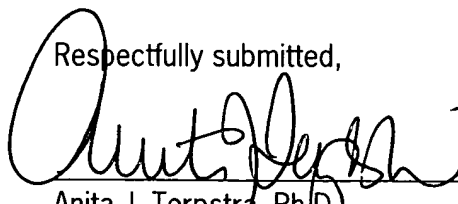
Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) dated March 21, 2006, attached is an executed Declaration and Power of Attorney for Patent Application in compliance with 37 CFR § 1.497(a) and (b) and fee in the amount of \$130.00 for surcharge. A copy of the Notification (Form PTO/DO/EO/905) is also attached.

Date: May 18 2006

Respectfully submitted,

  
Anita J. Terpstra, Ph.D.  
Registration No. 47,132

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
( Case No. 05-959-B5 (EX03-077C-US) )**

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<b>Plowman et al.</b>	)	
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<b>U.S. Application No.: 10/532,405</b>	)	
	)	<b>Group Art Unit: TBD</b>
<b>International Application No.: PCT/US03/33483</b>	)	
	)	<b>Confirm. No. 5781</b>
<b>International Filing Date: October 22, 2003</b>	)	
	)	
<b>For: CDKL as Modifier of Branching</b>	)	
<b>Morphogenesis and Methods of Use</b>	)	

**TRANSMITTAL LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In regard to the above identified application,

1. We are transmitting herewith the attached:
  - a) Copy of Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed March 21, 2006;
  - b) Response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US);
  - c) Declaration; and
  - d) Return receipt postcard.
2. With respect to fees:
  - a) A check in the amount of \$130.00 is enclosed.
  - b) Please charge any underpayment or credit any overpayment our Deposit Account, No. 13-2490.

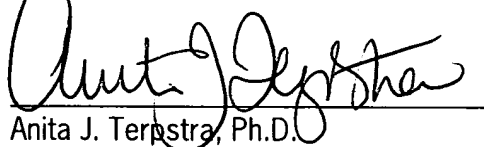
05/24/2006 372EY1 00000122 10332405

01 73:1617 130.00 07

**McDonnell Boehnen Hulbert & Berghoff LLP**  
300 South Wacker Drive  
Chicago, IL 60606  
(312)913-0001

3. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1, are being deposited with the United States Postal Service as "Express Mail Post Office Addressee" addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on ~~April~~ <sup>May</sup> 18 2006. Express Mail No. EV 839383798 US

Respectfully submitted,



Anita J. Terpstra, Ph.D.  
Registration No. 47,132

Date: May 18 2006



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/532,405	FIRST NAMED APPLICANT Gregory D. PLOWMAN	ATTY. DOCKET NO. EX03-077C-US
DOCKETED		INTERNATIONAL APPLICATION NO. PCT/US03/33483
		I.A. FILING DATE 10/22/2003
		PRIORITY DATE

23500  
PATENT DEPT  
EXELIXIS, INC.  
170 HARBOR WAY  
P.O. BOX 511  
SOUTH SAN FRANCISCO, CA 94083-0511

APR 13 2006

DUE DATE:

BY:

CONFIRMATION NO. 5781

371 FORMALITIES LETTER



\*OC000000018324189\*

Date Mailed: 03/21/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/22/2005
- Copy of the International Search Report filed on 04/22/2005
- Information Disclosure Statements filed on 08/08/2005
- Biochemical Sequence Diskette filed on 04/22/2005
- Oath or Declaration filed on 04/22/2005
- Request for Immediate Examination filed on 04/22/2005
- U.S. Basic National Fees filed on 04/22/2005
- Priority Documents filed on 04/22/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

DOCKETED

APR 03 2006

EXELIXIS, INC.

*A copy of this notice **MUST** be returned with the response.*

FRANCINE YOUNG

Telephone: (703) 308-9140 EXT 215

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/532,405	PCT/US03/33483	EX03-077C-US

FORM PCT/DO/EO/905 (371 Formalities Notice)